

UNITED STATES DISTRICT COURT

for the

United States of America

v.

Jose RIVERA

Defendant(s)

Case No.

FILED
2012 JUL 23 AM 11:44
CLERK US DISTRICT COURT
WESTERN DISTRICT OF TEXAS

BY

DEPUTY

A12-m-494

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of July 20th, 2012 in the county of Washington in the
Western District of Texas, the defendant(s) violated:

Code Section

Offense Description

21 USC 846

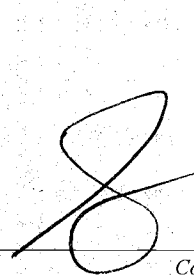
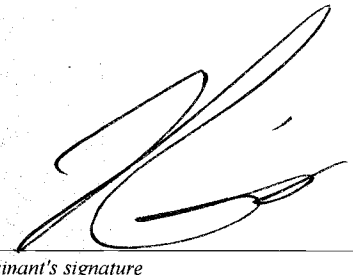
Conspiracy and Possession with intent to distribute,
to wit, approximately 3,064 marijuana plants.

21 USC 841 (a) (1)

This criminal complaint is based on these facts:

See attachment.

☒ Continued on the attached sheet.

Complainant's signature

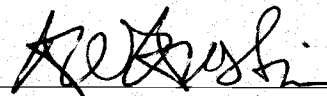
Steven Ebmeier, DEA Special Agent

Printed name and title

Sworn to before me and signed in my presence.

Date:

7/23/12

City and state: Austin, Texas


Judge's signature

Andrew Austin, U.S. Magistrate Judge

Printed name and title

ATTACHMENT

1. On July 19, 2012, DEA Austin agents conducted an Ariel operation in the area of FM Hwy 105 and Husemann Road near Brenham, Texas. At this time, agents observed a large outdoor marijuana grow located on a tract of land near this location.
2. On July 20, 2012, at approximately 8:00am, DEA Austin agents with the assistance of several other law enforcement departments entered the tract of land containing the marijuana grow to secure the marijuana plants. At this time, law enforcement agents observed two male subjects located on the adjacent tract of land near the marijuana grow operation. These subjects were identified as Evertte GONZALEZ and Jose RIVERA. Both subjects were subsequently detained pending further questioning.
3. Later, both subjects were read their Miranda Rights, stated they understood their rights, waived their rights and agreed to speak with law enforcement agents. GONZALEZ admitted knowledge of the marijuana grow operation. GONZALEZ stated that he had been on the property with the marijuana plants since approximately April of 2012. GONZALEZ stated that he helped clear the land for the marijuana grow and assisted in planting the marijuana seeds and maintaining the marijuana plants as they grew. GONZALEZ stated that the "owner" of the marijuana was an unidentified male from Houston, Texas. GONZALEZ stated that this man threatened him and his family in Mexico if he did not help with the marijuana grow operation. GONZALEZ stated he was to be paid after the harvest and sale of the marijuana.
4. RIVERA also admitted knowledge of the marijuana grow operation. RIVERA stated that he was a hired caretaker for the property adjacent to the marijuana grow operation for the past 14 years. RIVERA also stated that he periodically accessed the land containing the marijuana grow to check on a cabin located on this property at the request of the land owner. RIVERA stated that in approximately April of 2012, an unidentified male from Houston approached him and told him what was happening on the property next door. RIVERA stated that this male threatened him and his family if he told anyone about the marijuana being grown on this property. RIVERA stated that soon after this he met GONZALEZ and another unknown male who were maintaining the marijuana plants. A search of RIVERA's cellular telephone revealed a picture of RIVERA standing in the middle of the marijuana field. RIVERA stated that GONZALEZ took this picture for him with his telephone.
5. Agents processing the marijuana grow operation observed that the water being used to irrigate the marijuana plants was being obtained from the adjacent property in which RIVERA was the caretaker.
6. Both GONZALEZ and RIVERA were later transported to the Bastrop County Jail pending their initial appearance in federal court.